

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN PABLO CHAVEZ,

Plaintiff,

17-cv-9572 (JGK)

- against -

THE BRITISH BROADCASTING CORP.,
ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

MEMORANDUM OPINION
AND ORDER

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The court has received a document entitled "Quae Corum Nobis Resident." This is a motion for reconsideration or an application to file another amended complaint.

The standards applicable to a motion for reconsideration are well established. "[R]econsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked -- matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." Lesch v. United States, 372 F. App'x 182, 183 (2d Cir. 2010) (citing Shrader v. CSX Trasp., Inc., 70 F.3d 255, 257 (2d Cir. 1995)). The plaintiff has failed to point to any facts or controlling law that the court overlooked. The plaintiff has failed to state a copyright claim because he lacks a copyright registration. The plaintiff failed to allege a viable trademark claim because he failed to establish that the defendants did not have a right to describe his music as it did. Moreover, the

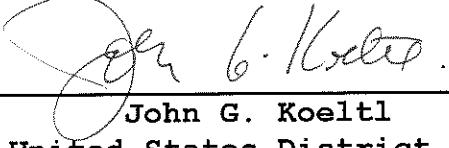
plaintiff has failed to explain how the Court erred in denying any dilution claim.

With respect to the application to file yet another amended complaint, the plaintiff has not offered such an amended complaint and has failed to explain how any amended complaint could cure the deficiencies the Court noted in the last complaint.

The motion is denied. The Clerk is directed to enter judgment dismissing this case. The Clerk is also directed to close all pending motions and to close this case.

SO ORDERED.

Dated: New York, New York
 September 16, 2019


John G. Koeltl
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JUAN PABLO CHAVEZ, SUJ JURIS

v.

THE BRITISH BROADCASTING CORP.,
et al.

UNUSUAL
CASE #:

17-cv-9572

(b)(6)

QUAE CORUM NOBIS RESIDENT

I. OVERLOOKED CONTROLLING DECISIONS & FACTUAL MATTERS

1. Chavez deserves to proceed anonymously; pseudonymously
 - A. The defendants are retaliating against Chavez and causing harm to innocent non-parties, to wit... JOHNNY ARCO, et al.
2. Chavez does not have a stage name. JOHNNY ARCO is a loan-out company, a musical personnel, or work series
3. JOHNNY ARCO is not a stage name.

20 II. SPECIAL SOLICITUDE

1. Please provide Chavez deliberate, continuing efforts to make certain he understands how to take advantage of his opportunity to speak to the strength of this mark. What are the elements probative of acquired secondary meaning?

21 III. ADMINISTRATIVE PROCEDURE ACT & THE U.S. COPYRIGHT
OFFICE ("JOHN DOE #1, defendant")

1. Chavez did what he was supposed to hold the deed to performing Arts work "thisisgoingtokillmeknd4.mp3"

1
2 III. 2. Please order the copyright office to approve the
3 title registration? They said they would! Chavez met
4 the requested objectives.

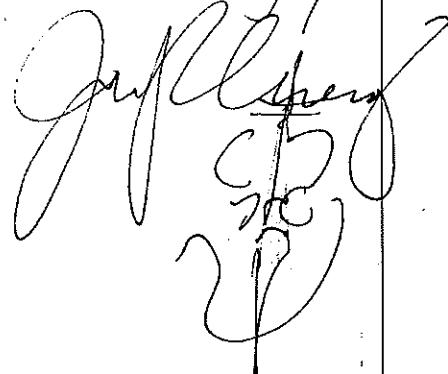
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6 IV. De novo review in the 2nd circuit

7
8 1. After providing the relief requested herein... please
9 allow a liberal amendment of pleadings including
10 a second amended complaint reviewed de novo on
11 appeal?

12 V. Conclusion: EXTRAORDINARY PAUPER PRODUCES BBC & "American" Idol.

13 1. This is so wrong! They gave Chavez credit?!
14 No, they didn't. And they didn't pay him or secure
15 licenses for an unpublished work they distributed
16 on TV. They're lying to you and using procedural
17 intricacies to have his natural title turned over
18 to them and deny him his day in court!
19 Chavez will prevail when you provide him the
20 benefits of his special solicitude, approve
21 his copyright "application" and grant leave
22 to amend liberally. JONNY ARLO isn't a stage name.

23
24 Thank you for reconsidering! Please do whatever
25 you can?
Sincerely,


G. R. Sperry
CJ
JRC
JP

26 Fri. July 26, 2019
27 8:53 P.M. EST
28 NYC, NY

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JUAN PABLO CHAVEZ, SUI JURIS
v.

THE BRITISH BROADCASTING CORP.,
et al.

UNUSUAL
CASE #:
17-cr-9572

(b)(B)(6)

QUAE CORVM NOBIS RESIDENT

I. OVERLOOKED CONTROLLING DECISIONS & FACTUAL MATTERS

1. Chavez deserves to proceed anonymously if pseudonymously
 - A. The defendants are retaliating against Chavez and causing harm to innocent non-parties, to wit. JOHNNY ARCO, et al.
 2. Chavez does not have a stage name. JOHNNY ARCO is a loan-out company, a musical personnel, or work series
 3. JOHNNY ARCO is not a stage name.

II. SPECIAL SOLICITUDE

1. Please provide Chavez deliberate, continuing efforts to make certain he understands how to take advantage of his opportunity to speak to the strength of his marks. What are the elements probative of acquired secondary meaning?

III. ADMINISTRATIVE PROCEDURE ACT & THE U.S. COPYRIGHT OFFICE ("JOHN DOE #1, Defendant")

1. Chavez did what he was supposed to hold the deed to Performing Arts work "thisisgoingtokillmekind4.mp3"

1 III. 2. Please order the copyright office to approve the
2 title registration? They said they would! Chavez met
3 the requested objectives.
4

5 IV. De novo review in the 2nd Circuit

6 1. After providing the relief requested herein... please
7 allow a liberal amendment of pleadings including
8 a second amended complaint reviewed de novo on
9 appeal?
10

11

12 V. Conclusion: EXTRAORDINARY PAUPER PRODUCES BBC & "AMERICAN" IDOL.

13 1. This is so wrong! They gave Chavez credit?!
14 No, They didn't. And they didn't pay him or secure
15 licenses for an unpublished work they distributed
16 on TV. They're lying to you and using procedural
17 intricacies to have his natural title turned over
18 to them and deny him his day in court!
19 Chavez will prevail when you provide him the
20 benefits of his special solicitude, approve
21 his copyright "application" and grant leave
22 to amend liberally. JOHNNY ARLO isn't a stage name.
23

24 Thank you for reconsidering! Please do whatever
25 you can?

Sincerely,

Jay Clift
CJ
JP
JP

26 Fri. July 26, 2019
27 8:53 P.M. EST
28 NYC, NY

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